

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WASHINGTON

PAUL SCOTT, an individual,

Plaintiff,

v.

CALEB CARR, individually; and VITA
INCLINATA TECHNOLOGIES
INC., a Delaware Corporation, as a nominal
Defendant,

Defendants.

Case No. 2:20-cv-00236-RSM

**STIPULATED MOTION AND ORDER
FOR EXTENSION OF CASE
SCHEDULE DEADLINES**

The Honorable Ricardo S. Martinez
NO ORAL ARGUMENT REQUESTED
Hearing Date: October 6, 2021

WHEREAS, on April 7, 2020, the Court issued an Order Setting Trial Date and Related Dates (Dkt. 27);

WHEREAS, in Part B of the parties Joint Status Report and Discovery Plan, the parties jointly represented to the Court their perceived difficulties in their scheduling needs due to the unprecedented effects of the COVID-19 pandemic and their commitment to work cooperatively with one another to accommodate each other during these unprecedented times (Dkt. 24);

WHEREAS, on September 14, 2020, the Court entered a Stipulated Motion and Order for Extension of Certain Deadlines (Dkt. 45);

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**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE
SCHEDULE DEADLINES - 1
CASE NO. 2:20-CV-00236-RSM**

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Suite 1400
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(206) 292-9988

WHEREAS, on January 4, 2021, the Court entered a Stipulated Motion and Order for Extension of Certain Deadlines that continued the jury trial date to October 12, 2021, or as soonest thereafter as the Court permits (Dkt. 49);

WHEREAS, on March 19, 2021, the Court entered a Stipulated Motion and Order for Extension of Certain Deadlines that reset the discovery deadline in this matter to July 29, 2021, (Dkt. 51);

WHEREAS, on July 21, 2021, the parties submitted a stipulated motion for an extension of the case schedule entered in this matter, with deadlines to be determined after the Court entered Orders resolving the parties' respective non-expert discovery motions which were then fully briefed and pending before this Court (i.e., Defendants' Motion to Compel (Dkt. 51), Defendants' Motion for Protective Order (Dkt. 55), and Plaintiff's Motion to Compel (Dkt. 57));

WHEREAS, on July 22, 2021, the Court entered a Stipulated Motion and Order for Extension of Certain Deadlines that reset the deadlines in this matter as "To Be Determined" and contingent upon the date the Court entered Orders resolving the non-expert discovery motions above (Dkt. 85);

WHEREAS, on August, 26, 2021, the Court entered an Order re: Motions To Compel and Granting Defendants' Motion For Protective Order (Dkt. 86) and, therefore, the parties are now prepared to set deadlines which were previously struck and left "To Be Determined."

IT IS HEREBY STIPULATED AND AGREED by and through the undersigned counsel for Plaintiff and Defendants, in accordance with LCR 7(d)(1) and 10(g), subject to the approval of the Court, that the following deadlines in the case shall be modified as set forth below.

Event Title	Current Deadline	Proposed Amended Deadline
JURY TRIAL DATE	October 12, 2021	April 11, 2022
Non-expert, fact discovery completed. All Motions Related to non-expert Discovery must be filed by (see LCR 7(d))	April 30, 2021	April 30, 2021

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE
SCHEDULE DEADLINES - 2
CASE NO. 2:20-CV-00236-RSM**

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Event Title	Current Deadline	Proposed Amended Deadline
Disclosure of Expert Testimony pursuant FRCP 26(a)(2) must be served by:	June 3, 2021	June 3, 2021
Discovery Completed by:	July 29, 2021	October 25, 2021
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)):	August 5, 2021	November 24, 2021
Mediation per LCR 39.1(c)(3), if requested by the parties, held no later than:	August 17, 2021	November 30, 2021
All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter:	September 7, 2021	February 10, 2022
Agreed pretrial order due:	September 20, 2021	March 11, 2022
Pretrial conference to be scheduled by the Court:	TBD	TBD
Trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due:	September 27, 2021	March 28, 2022

IT IS SO STIPULATED.

DATED this 6th day of October 2021.

BETTS, PATTERSON & MINES, P.S.

TOMLINSON BOMSZTYK RUSS

By: /s/ Cruz H. Turcott

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Attorneys for Defendants

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Attorneys for Plaintiff

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE
SCHEDULE DEADLINES - 3
CASE NO. 2:20-CV-00236-RSM**

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ORDER

Based on the foregoing, IT IS SO ORDERED.

DATED this 7th day of October, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:
BETTS, PATTERSON & MINES, P.S.

By: /s/ Cruz H. Turcott
Cruz H. Turcott, WSBA No. 57532
Attorneys for Defendants

TOMLINSON BOMSZTYK RUSS

By: /s/ Abigail Staggers
Abigail Z. Staggers, WSBA No. 43962
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2021, the foregoing was electronically filed with **United States District Court for the Western District of Washington** through the E-Filing system: **STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE SCHEDULE DEADLINES.**

I further certify that on October 6, 2021, I served a copy of the foregoing on:

Blair M. Russ Abigail Z. Stagers Tomlinson Bomsztyk Russ 1000 Second Avenue, Suite 3660 Seattle, WA 98104 Fax: 206-621-9907 Email: bmr@tbr-law.com azs@tbr-law.com <i>Of Attorney for Plaintiff</i>	
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_____ by mailing to each of the foregoing a copy thereof, placed in a sealed envelope addressed as listed above and deposited in the United States mail at Portland, Oregon, and that postage thereon was fully prepaid.

_____ by facsimile transmission to the number shown above.

 X by additional e-service through the E-Filing system, if party was registered.

 X by courtesy email to the email addresses shown above.

/s/ **Carrie J. Cook**

Carrie J. Cook, CP

Legal Assistant/Certified Paralegal